

UNITED STATES DISTRICT COURT

for the

District of South Carolina

Demetrius Smalls*Petitioner*

v.

Kenneth Nelson, Warden of Lee County*Respondent*)
)
)
)
)
)

Civil Action No. 2:19-cv-02669-SAL

JUDGMENT IN A CIVIL ACTIONThe court has ordered that *(check one)*:

☐ the plaintiff *(name)* _____ recover from the defendant *(name)* _____ the amount of _____ dollars (\$___), which includes prejudgment interest at the rate of ____ %, plus postjudgment interest at the rate of ____ %, along with costs.

☐ the plaintiff recover nothing, the action be dismissed on the merits, and the defendant *(name)* _____ recover costs from the plaintiff *(name)* _____.

☒ other: Petitioner, Demetrius Smalls, shall take nothing of Respondent, Kenneth Nelson, Warden of Lee County, as to the petition filed pursuant to 28 U.S.C. § 2254 and the petition is dismissed with prejudice and without an evidentiary hearing. A certificate of appealability is denied.

This action was *(check one)*:

☐ tried by a jury, the Honorable _____ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable _____ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Sherri A Lydon, United States District Judge, presiding. The Court having adopted

☒ the Report and Recommendation set forth by the Honorable Mary Gordon Baker, United States Magistrate Judge.

Date: April 20, 2020

ROBIN L. BLUME, CLERK OF COURT

s/H.Cornwell

Signature of Clerk or Deputy Clerk